// Notice

500.38228X00

OCT 1 6 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENC

Applicant(s):

T. MOGI, et al

Serial No.:

09/485,852

Filed:

February 17, 2000

For:

SEMICONDUCTOR LIGHT RECEIVING ELEMENT AND

OPTICAL TRANSMISSION DEVICE

Group:

2815

Examiner:

P. Brock, II

NOTICE OF APPEAL

Commissioner for Patents Washington, D.C. 20231

October 16, 2002

Sir:

Applicant(s) hereby appeal to the Board of Appeals from the Decision dated May 16, 2002 of the Primary Examiner finally rejecting claims 1-38.

The items checked below are appropriate:

- [] A timely response to the final rejection has been filed.
- [X] Fee \$320.00 [X] is enclosed [] not required (fee paid in prior appeal).

It is noted that this Notice of Appeal is being filed in order to provide additional time within which to schedule an interview in this application

To the extent necessary, applicant(s) petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this

paper, to Deposit Account No. 01-2135 (500.38228X00) and please credit any excess fees to such deposit account.

Respectfully submitted,

Melvin Kraus

Registration No. 22,466

ANTONELLI, TERRY, STOUT & KRAUS, LLP

MK/cee (703) 312-6600

2. . 5